

**To:** Blumenfeld, Jared[BLUMENFELD.JARED@EPA.GOV]  
**Cc:** Torres, Tomas[Torres.Tomas@epa.gov]  
**From:** Johnson, Kathleen  
**Sent:** Wed 11/25/2015 12:00:48 AM  
**Subject:** FW: URGENT letter to SWRCB re Calif Water Fix and Dec 2, 2015 Closed Session re Hearing Process  
[11 24 15 SWRCB ltr.pdf](#)  
[10 30 15 EPA final cmts.pdf](#)

Jared,

The attached letter is worth a quick read. They are arguing that the State Board should not do anything (new diversion points or the larger Phase I and Phase 2 processes) until there is an adequate EIR.

Kathleen H. Johnson

Director, Enforcement Division

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**From:** Kemmerer, John  
**Sent:** Tuesday, November 24, 2015 1:35 PM  
**To:** Torres, Tomas <Torres.Tomas@epa.gov>; Johnson, Kathleen <Johnson.Kathleen@epa.gov>  
**Subject:** FW: URGENT letter to SWRCB re Calif Water Fix and Dec 2, 2015 Closed Session re Hearing Process

FYI, NGOs argue that the State Water Board shouldn't proceed with their consideration of the DWR/Bureau of Reclamation petition to change the points of diversion for the Central Valley Project and State Water Project pursuant to the CA WaterFix.

John Kemmerer, Associate Director

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**From:** Vendlinski, Tim

**Sent:** Tuesday, November 24, 2015 12:57 PM

**To:** Kemmerer, John <[KEMMERER.JOHN@EPA.GOV](mailto:KEMMERER.JOHN@EPA.GOV)>

**Subject:** FW: URGENT letter to SWRCB re Calif Water Fix and Dec 2, 2015 Closed Session re Hearing Process

**From:** Bob Wright [<mailto:BWright@friendsoftheriver.org>]

**Sent:** Tuesday, November 24, 2015 12:56 PM

**To:** [tom.howard@waterboards.ca.gov](mailto:tom.howard@waterboards.ca.gov); [Felicia.Marcus@waterboards.ca.gov](mailto:Felicia.Marcus@waterboards.ca.gov); [Frances.Spivy-Weber@waterboards.ca.gov](mailto:Frances.Spivy-Weber@waterboards.ca.gov); [Dorene.Dadamo@waterboards.ca.gov](mailto:Dorene.Dadamo@waterboards.ca.gov); [Tam.Doduc@waterboards.ca.gov](mailto:Tam.Doduc@waterboards.ca.gov); [Steven.Moore@waterboards.ca.gov](mailto:Steven.Moore@waterboards.ca.gov); [mlauffer@waterboards.ca.gov](mailto:mlauffer@waterboards.ca.gov); [deltawatermaster@waterboards.ca.gov](mailto:deltawatermaster@waterboards.ca.gov); [diane.riddle@waterboards.ca.gov](mailto:diane.riddle@waterboards.ca.gov)

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**Subject:** URGENT letter to SWRCB re Calif Water Fix and Dec 2, 2015 Closed Session re Hearing Process

Dear State Water Resources Control Board Members, Chief Counsel, and Staff:

Attached please find our letter of today, November 24, 2015, to you about the California Water Fix Hearing Process, and the Closed Session with the Office of Chief Counsel set for December 2, 2015, to deliberate on procedural decisions to be reached on the joint Petition. The urgency is that we wanted to let you know our position on certain issues before your December 2 closed session.

The legal landscape has recently changed with the EPA having rated the Water Fix RDEIR/SDEIS *inadequate* in its review letter of October 30, 2015. Our attached letter focuses on that and also on the change from the BDCP which was a habitat conservation plan into the Water Fix. We also attach for you a copy of the EPA letter that our letter discusses.

You are welcome to call me with any questions you may have. (This email & the two attached letters are cc'd to the designated recipients at DWR and the Bureau of Reclamation for Hearing Process communications).

Sincerely,

Bob Wright

Senior Counsel

Friends of the River

Sacramento, CA

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